

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
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Gerhard JAEHNE et al.) Group Art Unit: TO BE ASSIGNED
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Application No.: TO BE ASSIGNED) Examiner: TO BE ASSIGNED (Divisional
) of Application No. 10/231,394)
Filed: September 22, 2003)
)
For: C2-SUBSTITUTED IDAN-1-OLS)
AND THEIR DERIVATIVES,)
PROCESSES FOR THEIR)
PREPARATION AND THEIR USE)
AS PHARMACEUTICALS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed within three months of the filing date of the above-referenced application

Copies of the listed documents were previously submitted in a prior application, Application No. 10/231.394, filed August 30, 2002, upon which Applicants rely for the benefits provided in 35 U.S.C. § 120. Applicants respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

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This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited document(s) do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
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Dated: September 22, 2003

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INFORMATION DISCLOSURE CITATION

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| Atty. Docket No. | 2481.1799-02 | Serial No. | To Be Assigned |
| Applicant | Gerhard JAEHNE et al. | | |
| Filing Date | September 22, 2003 | Group: | To Be Assigned |

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| Examiner | Date Considered |
| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |
| Form PTO 1449 | Patent and Trademark Office - U.S. Department of Commerce |